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TO RUEHC/SECSTATE WASHDC IMMEDIATE 4019
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RUEHLMC/MILLENNIUM CHALLENGE CORPORATION

UNCLAS SECTION 01 OF 02 ANTANANARIVO 001398

SIPDIS

SENSITIVE
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DEPT FOR AF/E, AF/FO, INR/AA, AND DRL
PARIS FOR D'ELIA

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [KDEM](#) [EAID](#) [PHUM](#) [PINR](#) [MA](#)

SUBJECT: OPPOSITION COMPLAINS; PRESIDENT FETES 57 YEARS

REF: A) ANTANANARIVO 1380 AND PREVIOUS

B) ANTANANARIVO 1389

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11. (SBU) SUMMARY: With election documents received from all but two out of 116 regional offices, the High Constitutional Court (HCC) is steadily certifying the results from the December 3 presidential election. The High Court office in central Antananarivo remains open to candidates, journalists, and observers; however intermediate results during the count are not released. At the same time the HCC considers complaints by candidates; it rejected Roland Ratsiraka's claims of fraud December 12. With renegade General Fidy's arrest (ref B), any candidates who might still be considering extralegal action must assess their options carefully. Both the limited Embassy observers' totals and the National Democratic Institute's (NDI) parallel count confirmed the unofficial result that Ravalomanana won well over 50 percent of the vote (protect, not/not for public dissemination). END SUMMARY.

HCC Certification Expected in December - But When?

12. (SBU) As of midday December 14, the HCC is only missing the affidavits and ballot documents of Befotaka and Morafenobe out of 116 regional offices. Legally the HCC has 20 days to certify the election results, but the clock only starts once all of the documents have been received. As a practical matter, however, we expect the HCC to certify within the week, and certainly before Christmas - although the court officials are studiously avoiding making any promises. To have collected these materials from over 17,000 polling stations across Madagascar is an impressive feat made possible only with South African-provided air assets. In a statement December 13, Prime Minister Jacques Sylla called for a "political truce" over the holidays so the Malagasy could celebrate in calm.

We Ran, We Lost, We Want a Do-Over

13. (SBU) Five candidates issued a statement December 12 calling the December 3 election null and demanding a new democratic election. Top challenger Jean Lahiniriko was accompanied by four candidates who combined won 0.5 percent of the vote: Ferdinand Razakarimanana, Philippe Tsiranana, Monja Roindifo and Daniel Rajakoba. Consistent with pre-election statements, these candidates insist any election won by Ravalomanana must therefore be fraudulent and continue to debate the legality of the December 3 election date.

¶4. (SBU) Exceptional were both Elia Ravelomanantsoa -- the only woman candidate -- and Ny Hasina Andriamanjato, who published messages of thanks to their followers, gracefully admitting defeat but vowing to continue to work for Madagascar's benefit. Notably absent since election day is Herizo Razafimhaleo, the apparent opposition frontrunner at the end of the campaign who placed a disappointing fourth in unofficial tallies. The normally pugnacious career politician and businessman has disappeared from public view, though no one believes we have heard the last of Herizo.

HCC Rejects Ratsiraka's Fraud Claim

¶5. (SBU) After a quick review, the HCC quickly rejected candidate Ratsiraka's claim that 350,000 of Ravalomanana's votes should be invalidated due to manipulation of the number of registered voters before election day. The HCC ruled it was not the competent authority to rule on the total number of registered voters, and could only verify specific votes if a particular result is formally disputed.

Happy Birthday Mr. President

¶6. (SBU) Basking in almost-certain victory, President Ravalomanana enjoyed his 57th birthday December 12 with 800 of his closest family and friends. In well-chosen words, but standing before a huge cake, the President spoke of the plight of famine-stricken Tulear and thanked the United States, Japan, and United Nations for already responding to the crisis. Ravalomanana said he loves the people of Tulear, those who voted for him as well as those who did not, and will take action in the current food crisis to show them his love.

NDI Confirms Unofficial Totals Look Good

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¶7. (SBU) NDI shared with the Ambassador December 12 that its analysis of independently-collected polling results showed Ravalomanana winning about 56 percent of the vote, with a margin of error of three percent (very close to the Interior Ministry's 54.8 percent). Emphasizing that this result was not very statistically accurate, NDI noted it remained internally useful to have another piece of evidence that the GOM's results look accurate. NDI collected data from 900 observers in the Committee of National Election Observers (CNOE) to calculate its semi-scientific result. In an even smaller pool, the U.S. Embassy observers reported results from 35 mostly urban polling stations across the country totaling 30,624 votes and similarly showed Ravalomanana winning with 57 percent. (Note: Due to lack of scientific rigor, NDI and Post emphasize this information is for internal use only; we do not plan to use it for any public announcement. End Note).

¶8. (SBU) NDI also shared that one of its expatriate staff had traveled to about 20 district-level elections offices out of 116 total who collected results from 17,500 polling stations. All regional offices visited had publicly posted results from their areas. Quick comparisons -- both with known results at the polling station level and with what has been reported at the Interior Ministry -- revealed a discrepancy of just 140 votes. The sample of district offices was selected for geography rather than randomness, so is illustrative rather than conclusive.

COMMENT: FREE AND FAIR, THIS TIME AT LEAST...

¶9. (SBU) While there are serious flaws in Madagascar's electoral system, and noteworthy lapses in execution, opposition criticism to date has failed to be constructive or specific. Ratsiraka's complaint was ill-considered and illogical. The five others led by Lahiniriko cling to a strategy of monotonous protest. All of this speaks to the woeful lack of sophistication of Malagasy political parties which, including Ravalomanana's own TIM party, are little more than cults of personality. At this point we assess the process

as having been a free and fair expression of the citizens' will, but also as being in need of reform. While the procedural flaws seem not to have been a serious impediment in this election, in a close contest they might be disastrous. For this reason, we intend to make political reform an ongoing part of our policy dialogue with the incoming government. END COMMENT.

MC GEE